RECEIVED
By OGC-CELA at 1:34 pm, Nov 30, 2020

SANDLER REIFF
SANDLER REIFF LAMB
ROSENSTEIN & BIRKENSTOCK, P.C.

1090 Vermont Ave NW, Suite 750 Washington, DC 20005 www.sandlerreiff.com T: 202-479-1111

November 24, 2020

Jeff S. Jordan
Federal Election Commission
Office of Complaints Examination and Legal Administration
Attn: Trace Keeys, Paralegal
1050 First Street, NE
Washington, D.C. 20463

Via email to cela@fec.gov

Re: MUR 7846 (Amedisys Inc.)

Dear Mr. Jordan:

Per the enclosed Designation of Counsel, my firm and I write on behalf of Amedisys, Inc. in response to the Commission's notification of a complaint alleging violations of the ban on federal political contributions by federal government contractors recently filed by the Campaign Legal Center (the "Complaint"). Amedisys received that notification on November 11, 2020.

In sum, while in general the Complaint accurately reflects the law it does not accurately reflect the facts. Although the relevant contribution to the Senate Leadership Fund was initially reported by that committee as having come from "Amedisys," that shorthand reference appears to have led the Campaign Legal Center to the wrong conclusion about the specific source of that contribution. As confirmed by the enclosed printout from Amedisys' accounts payable system (redacted to protect Amedisys' account number and other confidential business information), the actual business entity that made the contribution to Senate Leadership Fund is "Amedisys Holding LLC," not Amedisys, Inc.¹

Amedisys Holding LLC is not listed in the USASpending.gov database referenced by the Campaign Legal Center, and my client confirms that Amedisys Holding LLC does not contract with any Amedisys customers, either in the federal government or elsewhere, and is not seeking

¹ We note that the Senate Leadership Fund has amended its October Monthly report and, among other changes, that amendment clarifies the source of this contribution accordingly.

SANDLER REIFF LAMB ROSENSTEIN & BIRKENSTOCK, P.C.

any such contracts. In fact, very much like the business structure for Chevron as described in MUR 6726, Amedisys, Inc. and Amedisys Holding LLC are separate business entities and, as a general matter, Amedisys Holding LLC does not sell any goods or services. Again, much like the circumstances in MUR 6726, the annual revenue during 2020 to the overall Amedisys business enterprise vastly exceeds the \$3,897 in contracts with "Amedisys, Inc." reflected in the USASpending.gov database.

Consequently, the respondent here, Amedisys, Inc., did not make the contribution in question; and consistent with the plain meaning of the statute as previously interpreted by the Commission, the actual source of this contribution, Amedisys Holding LLC, is not a federal contractor for purposes of the federal contractor contribution ban.

We therefore respectfully urge the Commission to find that there is no reason to believe that Amedisys, Inc. (nor Amedisys Holding LLC, for that matter) committed any violation, and close the file in this matter in this regard.

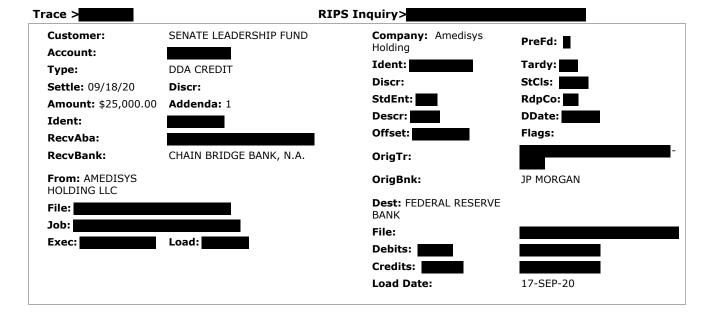
Sincerely,

Joseph M. Birkenstock Counsel for Amedisys, Inc.

Enc.

Payments/Collections Detail > Print View > Detail For Trace

Details > Name: SENATE LEADERSHIP FUND Individual ID #: 25000.00 Amount: Effective Date: 18-SEP-20 Trans/Acct Type: CR/Checking Entry Class: Origin #: Account#: Company ID#: Receiving Bank ABA #: Company Name: Amedisys Holding Return Date: Your Trace#: Return Code: JPM Trace#: Return Description: Redeposit: Reinitiate: Addendum: Customer Reference: Orig Trace /Bank Phone: Billing Account: Giro-Id: Giro Customer: Giro-Offset:



Close



FEDERAL ELECTION COMMISSION Washington, DC 20463

Statement of Designation of Counsel

Provide one form for each Respondent/Witness Note: You May E-Mail Form to: CELA@fec.gov

MUR # 7846

Name of Counsel: Joseph M. Birkenstock

Firm: Sandler Reiff Lamb Rosenstein & Birkenstock, P.C.

Address: 1090 Vermont Ave., NW, Suite 750

Washington, DC 20005

Email: birkenstock@sandlerreiff.com

Telephone: (202) 479-1111 Fax: (202) 479-1115

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

David L. Kemmerly

Name

RESPONDENT:

Signature

Amedisys, Inc.

(Committee Name/Company Name/Individual Named In Notification Letter)

MAILING ADDRESS: 5959 S. Sherwood Forest Blvd. 3854 American Way, Suite A

Chief Legal & Govt Affairs Officer
Title

Baton Rouge, LA 20463 70816

Telephone: (225) 292-2031

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person receiving the notification or the person with respect to whom the investigation is made.